



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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Applicants: David S. WELLS *et al.*

Title: **SUSTAINED-RELEASE FORMULATIONS FOR TREATING  
CNS-MEDIATED DISORDERS**

Appl. No.: 09/691,237

Examiner: L. Channavajjala

Filing Date: 10/19/2000

Art Unit: 1615

**REPLY UNDER 37 C.F.R. § 1.116**

Commissioner for Patents  
Washington, D.C. 20231

Ref  
4-22-03

Sir:

This communication is responsive to the Final Office Action dated August 12, 2002, concerning the above-referenced patent application.

**REMARKS**

Claims 1-34 are now pending in this application. Applicants submit the following remarks and respectfully request reconsideration of their application after final rejection because it appears from the final Office Action that the examiner may have overlooked the revisions that applicants made to claims 1, 19, and 24 in the response dated May 20, 2002. In that amendment, applicants revised the claims to recite isovaleramide rather than a "pharmaceutically acceptable amide of isovaleric acid." The remarks in the examiner's last office action appear to be directed to the claims as they were before revision.

**I. Rejection over Balandrin *et al.* and Rork *et al.***

Claims 1-5, 7-11, 14-20, 22-27, and 29-34 stand rejected under 35 U.S.C. § 103(a) over Rork *et al.*, U.S. patent No. 5,582,838, in view of Balandrin *et al.*, U.S. patent No. 5,506,268, and *vice versa*.

**A. The examiner appears to have overlooked applicants' prior amendments to Claims 1, 19, and 24**

The examiner's stated reasons are taken verbatim from the first office